

[Roll No. 164]

## YEAS—227

Aderholt Gibbons Nussle  
 Akin Gilchrist Osborne  
 Alexander Gillmor Otter  
 Bachus Gingrey Oxley  
 Baker Gohmert Paul  
 Barrett (SC) Goodlatte Pearce  
 Bartlett (MD) Granger Pence  
 Barton (TX) Graves Peterson (PA)  
 Bass Green (WI) Petri  
 Beauprez Gutknecht Pickering  
 Biggart Hall Pitts  
 Bilirakis Harris Platts  
 Bishop (UT) Hart Poe  
 Blackburn Hastings (WA) Pombo  
 Blunt Hayes Porter  
 Boehlert Hayworth Price (GA)  
 Boehner Hefley Pryce (OH)  
 Bonilla Hensarling Putnam  
 Bonner Herger Radanovich  
 Bono Hobson Ramstad  
 Boozman Hoekstra Regula  
 Boustany Hostettler Rehberg  
 Bradley (NH) Hulshof Reichert  
 Brady (TX) Hunter Renzi  
 Brown (SC) Inglis (SC) Reynolds  
 Brown-Waite, Issa Rogers (AL)  
 Ginny Istook Rogers (KY)  
 Burgess Jenkins Rogers (MI)  
 Burton (IN) Jindal Rohrabacher  
 Buyer Johnson (CT) Ros-Lehtinen  
 Calvert Johnson (IL) Royce  
 Camp Johnson, Sam Ryan (WI)  
 Cannon Jones (NC) Ryun (KS)  
 Cantor Keller Saxton  
 Capito Kelly Schwarzw (MI)  
 Carter Kennedy (MN) Sensenbrenner  
 Castle King (IA) Sessions  
 Chabot King (NY) Shadegg  
 Chocola Kingston Shaw  
 Coble Kirk Shays  
 Cole (OK) Kline Sherwood  
 Conaway Knollenberg Shimkus  
 Cox Kolbe Shuster  
 Crenshaw Kuhl (NY) Simmons  
 Cubin LaHood Simpson  
 Culberson Latham Smith (NJ)  
 Cunningham LaTourette Smith (TX)  
 Davis (KY) Leach Sodrel  
 Davis, Jo Ann Lewis (CA) Souder  
 Davis, Tom Lewis (KY) Stearns  
 Deal (GA) Linder Sullivan  
 DeLay LoBiondo Sweeney  
 Dent Lucas Tancredo  
 Diaz-Balart, L. Lungren, Daniel  
 Diaz-Balart, M. E. Taylor (NC)  
 Doolittle Mack Terry  
 Drake Manzullo Thomas  
 Dreier Marchant Thornberry  
 Duncan McCaul (TX) Tiahrt  
 Ehlers McCotter Tiberi  
 Emerson McCreery Turner  
 English (PA) McHenry Upton  
 Everett McHugh Walden (OR)  
 Feeney McKeon Walsh  
 Ferguson McMorris Wamp  
 Fitzpatrick (PA) Mica Weldon (FL)  
 Flake Miller (FL) Weldon (PA)  
 Foley Miller (MI) Weller  
 Forbes Miller, Gary Westmoreland  
 Fortenberry Moran (KS) Whitfield  
 Fossella Murphy Wicker  
 Foxx Myrick Wilson (NM)  
 Franks (AZ) Neugebauer Wilson (SC)  
 Frelinghuysen Ney Wolf  
 Gallegly Northup Young (AK)  
 Garrett (NJ) Norwood Young (FL)  
 Gerlach Nunes

## NAYS—198

Abercrombie Boucher Conyers  
 Ackerman Boyd Cooper  
 Allen Brady (PA) Costa  
 Andrews Brown (OH) Costello  
 Baca Brown, Corrine Cramer  
 Baird Butterfield Crowley  
 Baldwin Capps Cuellar  
 Barrow Capuano Cummings  
 Bean Cardin Davis (AL)  
 Becerra Cardoza Davis (CA)  
 Berman Carnahan Davis (FL)  
 Berry Carson Davis (IL)  
 Bishop (GA) Case Davis (TN)  
 Bishop (NY) Chandler DeFazio  
 Blumenauer Clay DeGette  
 Boren Cleaver Delahunt  
 Boswell Clyburn DeLauro

Dicks Levin  
 Dingell Lewis (GA)  
 Doggett Lipinski  
 Doyle Lofgren, Zoe  
 Edwards Lowey  
 Emanuel Lynch  
 Engel Maloney  
 Eshoo Markey  
 Etheridge Marshall  
 Evans Matheson  
 Farr Matsui  
 Fattah McCarthy  
 Filner McCollum (MN)  
 Ford McDermott  
 Frank (MA) McGovern  
 Gonzalez McIntyre  
 Gordon McKinney  
 Green, Al McNulty  
 Green, Gene Meehan  
 Grijalva Meek (FL)  
 Gutierrez Meeks (NY)  
 Harman Melancon  
 Herseht Menendez  
 Higgins Michael  
 Hinchey Miller (NC)  
 Hinojosa Miller, George  
 Holden Mollohan  
 Holt Moore (KS)  
 Honda Moore (WI)  
 Hooley Murtha  
 Hoyer Nadler  
 Inslee Napolitano  
 Israel Neal (MA)  
 Jackson (IL) Oberstar  
 Jackson-Lee Obey  
 (TX) Olver  
 Jefferson Ortiz  
 Johnson, E. B. Owens  
 Jones (OH) Pallone  
 Kanjorski Pascrell  
 Kaptur Pastor  
 Kennedy (RI) Payne  
 Kildee Pelosi  
 Kilpatrick (MI) Peterson (MN)  
 Kind Pomeroy  
 Kucinich Price (NC)  
 Langevin Rahall  
 Lantos Rangel  
 Larsen (WA) Reyes  
 Lee Ross

## NOT VOTING—8

Berkley Larson (CT)  
 Goode Millender-  
 Hastings (FL) McDonald  
 Hyde Moran (VA)

## RECESS

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Pursuant to clause 12(b) of rule I, the House will stand in emergency recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 5 minutes p.m.), the House stood in emergency recess subject to the call of the Chair.

## □ 1335

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 1 o'clock and 35 minutes p.m.

# PROVIDING FOR CONSIDERATION OF H.R. 1279, GANG DETERRENCE AND COMMUNITY PROTECTION ACT OF 2005

The SPEAKER pro tempore. The House is continuing the vote on ordering the previous question on House Resolution 268. Members will have 15 additional minutes to continue to record votes on this question. Members who previously recorded their votes

may confirm their votes during this period.

This 15-minute vote on ordering the previous question will be followed by a 5-minute vote on adoption of the resolution, if ordered.

## □ 1353

Messrs. WYNN, CUMMINGS and DINGELL and Ms. LORETTA SANCHEZ of California changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## COMMENDING THE U.S. CAPITOL POLICE AND SERGEANT AT ARMS OFFICE

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, as we all now know, a short time ago a small aircraft invaded the National Capital air space. The command structure for both the U.S. Capitol and the White House tracked this plane before making a decision to evacuate the Capitol complex at approximately 12:04 p.m.

At the time of the evacuation, Mr. Speaker, the House of Representatives was in the midst of a roll call vote and the House Chamber was ordered cleared in the middle of that vote. In addition to the Members of the House, the Capitol was filled with a number of foreign dignitaries, tourists, certainly staff and congressional pages. The Capitol Police led a rapid, yet orderly, evacuation for all of these people, as well as those who were in the House office buildings.

Mr. Speaker, I just want to commend the Capitol Police and the Sergeant at Arms Office for a job well done. We were all part of that evacuation. It was orderly. The Capitol and the office buildings were evacuated in record time. It went relatively smoothly. I have heard little or no complaints about the evacuation.

I also want to especially commend the employees of this House, those in the office buildings as well as in the Capitol. Everybody evacuated quickly and calmly, and it was a very good operation.

It is unfortunate that we have to live in these times where we have to evacuate the Capitol complex; but we are very pleased and proud of the Capitol Police, of their orderliness under very extreme conditions, their politeness and their calmness and reserve in the way they evacuated these buildings.

From a personal note, as I was going out of the Capitol complex, the Capitol Police were on station and were deployed in a very professional manner. They were acting in a very professional

manner and moved people along in a very rapid manner. So in the event that we do have a catastrophe, many lives would be saved; and we greatly appreciate that.

I also want to say as a side note, Mr. Speaker, that a lot of times we treat these Capitol Police as furniture. Because they are so good at their job, we often do not notice them. I would hope that Members of the House and employees of the House would congratulate each and every officer that they may come across over the next few days and thank them for the good job that they have done. They deserve it. We appreciate their protection, and we appreciate their professionalism.

Mr. Speaker, I feel much safer in the hands of the Capitol Police today than I did yesterday, and I greatly appreciate them.

I also have to point out that there are Capitol Police that are stationed in this building even in the event of a catastrophe, and they showed great courage to stand their posts, knowing that something bad may happen to this building or the office buildings. They do not leave the building. That is incredible courage that we should honor, and we appreciate that courage and that honor. You have to extend that to their families, because their families also know that they are standing in this building with an eventual catastrophe coming and standing their posts like the courageous men and women that they are.

So we greatly appreciate what they have done, the way they have protected the buildings and, most importantly, the people that work in these buildings. You just cannot say enough for how the House appreciates their service.

Ms. PELOSI. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from California, the distinguished minority leader.

□ 1400

Ms. PELOSI. Mr. Speaker, I, too, want to sing the praises of our Capitol Police and the Sergeant at Arms Mr. Livingood for the expeditious manner in which the Capitol was evacuated earlier today. Thank heavens it was not necessary; better safe than sorry.

But I think that the evacuation took place with dignity in record time and with respect for all in the Capitol, not only the Members of Congress but, very importantly, the tourists who are here, our visitors, the press who covers us, our employees who work here in the Capitol and the office buildings and, of course, the Capitol Police.

Thank you to the Capitol Police. Because of you, Americans or people visiting from overseas can come to this Capitol because of your courage with the confidence that they will be safe. Because of you, this evacuation was conducted in a manner of full cooperation from all who participated. Because of their confidence in you, when you

gave the signal, everyone moved exactly the way you wanted them to.

Mr. Speaker, I would also like to add my appreciation to our national security apparatus and all that that involves, for having those airplanes in the air immediately to escort that Cessna to another place. We do not know the full story about it, or I do not anyway, yet, but I do think that they are to be commended for the speed with which they made us safe.

This Capitol is a symbol of freedom throughout the world. And today, I think that the balance between freedom and security was well-demonstrated, and certainly that was because, again, of the professionalism, as our colleague said, and the courage of the Capitol Police, Mr. Livingood and our national security apparatus.

With that, Mr. Speaker, I know that the gentleman from Illinois (Mr. HASTERT) shares our views; I do not know if he can even speak from the chair, but I have heard the gentleman express his appreciation individually and personally to them, too, and I want to add my voice to that.

Mr. DELAY. Mr. Speaker, reclaiming my time, I appreciate the words of the Minority Leader, and she is absolutely right on. I just would finish by saying, people need to realize, because there are already critics on television, it is amazing; but people need to realize that very serious decisions have to be made in times like these: A decision to scramble the jets, a decision to shoot the flares, a decision to shoot the plane down or not and a decision to evacuate the building when that plane is only 3 to 4 minutes away from this building. Those are very critical decisions that have to be made, and we appreciate the people that have made those decisions and made them properly and protected the lives and property of the Capitol.

#### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1279 to be considered shortly.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### GANG DETERRENCE AND COMMUNITY PROTECTION ACT OF 2005

The SPEAKER. Pursuant to House Resolution 268 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1279.

□ 1403

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the

consideration of the bill (H.R. 1279) to amend title 18, United States Code, to reduce violent gang crime and protect law-abiding citizens and communities from violent criminals, and for other purposes, with Mrs. MILLER of Michigan in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise in support of H.R. 1279, the Gang Deterrence and Community Protection Act of 2005. This bill is a forward-looking and comprehensive approach to a growing national threat: violent and vicious criminal gangs in our communities.

According to the last National Youth Gang Survey, there are now between 750,000 and 850,000 gang members in our country. Every city in the country with a population of 250,000 or more has reported gang activity. There are over 25,000 gangs in more than 3,000 jurisdictions in the United States.

Criminal gangs are no longer just a local problem. In recent years, gangs have become nationally-organized criminal syndicates. They are disciplined criminal enterprises with leaders, managers and employees, with training and structured associations, many of which are now international in scope. They are dedicated to enriching themselves through criminal activity and terrorizing our communities. The law-abiding public and State and local law enforcement have sent us a strong message: Act now and stop the scourge of violence in our communities.

This legislation has four broad and significant purposes. First, the bill authorizes the creation of anti-gang task forces that will bring together Federal, State and local law enforcement to conduct complex and significant gang prosecutions and provide a national infrastructure for the sharing of gang information nationwide. Second, the bill creates a new gang crime statute, akin to the RICO statute, that addresses specific techniques and criminal strategies used by the gangs. Third, the bill increases penalties and clarifies several existing statutes for crimes typically committed by gangs. Fourth, the bill adopts a limited measure to permit Federal prosecutors to charge 16- and 17-year-olds in Federal court without going through a lengthy and outdated transfer procedure. Current law has hindered law enforcement efforts to incapacitate violent 16- and 17-year-old gang members in aggravated crimes of violence.

I would like to underscore one important aspect of this bill. It adopts new